



MEETING MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
and Third Tuesday of each month

REGULAR MEETING

County Courthouse
Bridgeport, California 93517

November 20, 2007

9:00 a.m. Meeting Called to Order by Chairman Hazard

Pledge of Allegiance led by Supervisor Farnetti

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Rob Clark, Mammoth Lakes Town Manager, updated the Board about proposed Horizon Air Service to Mammoth Yosemite Airport. He distributed a newsletter and notice from the FAA relating to the Environmental Impact Statement (EIS); this information is on file in the Clerk's Office. The EIS has been published and is available to the public; it analyzes a plan by Horizon to conduct two flights a day from Los Angeles. A flight projection plan is included that would allow more flights coming in from regional airports. The airport will not be expanded, nor will new buildings be constructed; an existing maintenance building will be converted to a terminal. A separate analysis under CEQA will start soon. A workshop will be held on December 18th in Suite Z (Town Council Chambers) to explain the proposal and answer questions; the official public hearing is on January 8th and close of comments is January 11th. This proposed plan will be the start of a growing service to Mammoth Lakes. The Town chose a regional strategy to avoid expanding the runway since there was a lot of opposition.

BOARD MEMBER REPORTS

Supervisor Reid reported on the following issues and activities:

1. Had a good trip to Montana.
2. Visited Walker Senior Center on Thursday. Claudia is doing a wonderful job; the community is supporting her. Inyo gave the cook his job back; however, the cook didn't show up for work today and may try to go out on disability.
3. Due to illness, missed the meeting about the ball diamond.

Supervisor Hunt reported on the following issues and activities:

1. Attended CSAC last week; the real value of the meeting is the networking. The session on climate change re-established belief that it is a very political issue. Health care will be a major factor in the future; Mono County is aging.

Supervisor Bauer reported on the following issues and activities:

1. Attended the agenda review meeting on the 7th.
2. Met with Sally Miller
3. Went to Mammoth Fire Department, along with Supervisor Hunt, to discuss a grant.
4. Had a phone conference with Catherine Handsburg on the 8th about June Lake economic issues.
5. The ESTA meeting on Friday was successful.
6. Attended CSAC last week; the value with CSAC is being on the policy committees, since that is where change occurs. Attended a session on how to run a meeting; answered a lot of questions. Will distribute information to the other Board Members. Also received information about dos and don'ts for public employees working on initiative campaigns. Will ask to be moved to the natural resource committee.
7. Mammoth High School won the CIF round one game.

Supervisor Farnetti reported on the following issues and activities:

1. Attended CSAC last week. California will be facing an \$8 billion short-fall; there doesn't seem to be a lot of political will to cut programs or raise taxes. The easiest way to solve the problem is to have counties and cities take over some of the programs. Health care reform could happen in the near future, which will be a big impact. CSAC seems to be engaged in this problem and is trying to protect local governments. Regarding election reform, many counties are very upset with the sudden changes concerning the decertification and recertification of machines, and associated costs. There are not a lot of solutions to the problem.

Chairman Hazard reported on the following issues and activities:

1. Attended CSAC; was disappointed this year. Sessions were politicized, but enjoyed making contacts. Next year the meeting is scheduled for Monday-Thursday; they seem to be insensitive to the needs of boards.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (**David Wilbrecht**)
ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

David Wilbrecht, CAO, reported on the following issues and activities:

1. The Board did not call on the CAO for a report.

2) APPROVAL OF MINUTES

Regular meeting of November 6, 2007, as corrected.

M07-264 (**Hunt/Bauer, 4-0; Reid abstain**)

Supervisor Reid: Correction to CAO Report on Page 4, Item #7: **Someone from the Antelope Valley Fire Department will contact Supervisor Reid....**

CLOSED SESSION

Closed session from 9:09 a.m. through 10:05 a.m.; break from 10:05 a.m. through 10:13 a.m. Reconvened at 10:13 a.m. Reconvened closed session from 12:30 p.m. through 1:45 p.m.

- 3) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, and Brian Muir. Unrepresented Employees: All.
- 4) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, and Brian Muir. Unrepresented Employees: Assistant Director of Community Development.
- 5) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, and Brian Muir. Unrepresented Employees: Accounting and Auditing Services.
- 6) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: three.
- 7) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representative: to be announced. Unrepresented employees: county counsel and county administrator.
- 8) PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.
- 9) PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrator.

The Board had nothing to report from closed session.

DEPARTMENT REPORTS/EMERGING ISSUES

Mary Booher reported on the following:

1. Health care reform. Distributed a copy of CSAC's principles regarding County share of cost. She will be listening in on a conference call today. There are concerns with the share-cost concepts but the contingencies seem reasonable; will keep the Board updated.

Evan Nikirk reported on the following:

1. Distributed Attachment A1 that should have been included with the Triad/Holmes contract to be discussed later today.
2. Regarding snow removal priority map, he will bring this back the first or second week of December. One or two subdivision roads have been accepted and approved, but not yet adopted into the County road system.

Stacey Simon reported on the following:

1. Distributed copies of information about coordinating use of public lands. A letter was sent to Jeff Bailey in 2001; the Board may want to consider sending another letter. The legal analysis addresses federal statutes that require coordination.
2. Followed up with information about national recreation areas in Del Norte and San Luis Obispo Counties. The Board was interested in finding out if a national recreation area would be workable in Mono County. San Luis Obispo has a national monument not a national recreation area; their concerns are unrelated to issues in Mono County. Del Norte national recreation area is relatively new; they said the statute is great and the plan is great, but they have problems with implementation (budget, staff at local level, and environmental laws). Because of the environmental laws, they are unable to proceed with uses that are legal.

Marshall Rudolph reported on the following:

1. Distributed copies of the FERC decision (Federal Energy Regulatory Commission). The decision is a good one for Mono County. Comments submitted by the County and other parties were seriously considered. Will work with Dan Lyster to distribute this decision to interested parties.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

| # | Received | Dated | From | Subject |
|-----|----------|----------|-------------------|--|
| 10) | 11-09-07 | 11-08-07 | David S. Baumwohl | Mammoth Mountain Ski Area and June Mountain Ski Area property tax appraisals, request for information (1997 and 2005). |

Chairman Hazard acknowledged receipt of the correspondence.

PUBLIC WORKS

- 11) Bid Opening – Ford F250 Pickup Trucks for the Public Works Department (**Evan Nikirk**)
M07-265 ACTION: Refer bids to the Public Works Director for review and recommendation.
(**Farnetti/Reid, 5-0**)

Evan Nikirk: The Board approved the purchase of four F250 trucks for Parks and Solid Waste; these trucks will replace aging vehicles. The old vehicles will either be used elsewhere or will be declared surplus. The bids are as follows (includes base bid plus delivery):

- Burch Ford, La Habra, CA: \$110,052.00
- South Shore Motors, S. Lake Tahoe, CA: \$111,131.08
- The New Jackson Ford Mercury, Martell, CA: \$115,415.00
- Downtown Ford, Sacramento, CA: \$117,757.92
- Kieffe & Sons Ford, Mojave, CA: \$118,198.80
- Mullahey Ford, Arroyo Grande, CA: \$118,581.88
- Harrold Ford, Sacramento, CA: \$119,143.12
- Hoblit Motors, Woodland, CA: \$119,148.32
- Westside Ford, Firebaugh, CA: \$119,220.00
- Sunland Ford, Victorville, CA: \$119,609.20
- Raceway Ford, Riverside, CA: \$119,767.72
- Grass Valley Ford, Grass Valley, CA: \$120,251.76
- Razzari Ford, Merced, CA: \$120,705.52
- Senator Ford, Sacramento, CA: \$122,638.06
- South Bay Ford, Hawthorne, CA: \$122,666.96
- Pearson Ford, San Diego, CA: \$124,098.00
- Holder Ford-Mercury, Lakeport, CA: \$125,674.04
- Antelope Valley Ford, Lancaster, CA: \$131,910.36
- Manteca Ford-Mercury, Manteca, CA: \$141,870.00

EMERGENCY MEDICAL SERVICES

- 12) Acceptance of Donations in Memory of Maurice Crawford (**Mary Booher**)
M07-266 ACTION: Authorize staff to accept donations for the EMS program in Memory of Maurice Crawford, a Bridgeport resident.
(**Reid/Bauer, 5-0**)

Mary Booher: Maurice Crawford was a local resident who passed away last month; the family requested that donations be made to the EMS program on his behalf. The program has received about \$185 for the paramedics to date; the funds will go into the trust fund so they are earmarked. This donation option was announced in Mr. Crawford's obituary. Booher will update the Board later about the amount received.

Supervisor Reid said he has known the family for 35 years and Maurice was a fine man. This is a good way to memorialize his life.

DEPARTMENT OF FINANCE

13) Revised Budget Policy (**Brian Muir**)

R07-80

ACTION: Approve **Resolution R07-80** adopting a revised budget policy pertaining to allocation of public resources and efficient delivery of services.
(*Bauer/Hunt, 5-0*)

Brian Muir: This is a housekeeping item. The budget policy was originally passed in 2002; the proposed resolution will reflect the current budget process. This is important because rating agencies look at whether or not the County has a budget policy to which they adhere.

PUBLIC WORKS

PUBLIC HEARING AT 10:30 A.M.

14a) Consider agreement with Aircon Energy, Inc. for Energy Conservation Improvements (**Kelly Garcia**)

ACTION: (1) Conduct public hearing on potential energy-cost savings to County that would result from proposed improvements to various County facilities constructed pursuant to an Energy Service Contract with Aircon Energy, Inc. (2) As part of the public hearing, receive presentation from Aircon Energy concerning the proposed improvements to County facilities and the potential energy-cost savings to County that would result therefrom. (3) Approve and authorize the Chairman's signature on **Resolution No. 07-_____** "A Resolution of the Mono County Board of Supervisors Making Findings in Accordance with Government Code Section 4217.12 and Approving An Energy Service Contract With Aircon Energy, Inc., For Energy-Related Improvements to County Facilities."

Kelly Garcia highlighted the following:

- This item represents a culmination of many months of work on a project that can improve County buildings, especially in respect to energy savings.
- In May of 2006, Aircon presented a conceptual plan for the Courthouse, and in June of 2007 they provided a feasibility report including other buildings. A month later the Board approved a letter of intent to proceed with a final design.
- The Board has a summary of the final report and energy conservation measures (in the packet on file in the Clerk's Office). Today the Board has the opportunity to change the scope of the project, and also phase the project. Some buildings, such as the Courthouse, have urgent needs; phasing can focus on buildings that will be changing use.
- Asbestos abatement will be a separate project and is not included in the Aircon cost.
- Checked Aircon's references and every response was positive.
- Some of the work can be done in house (such as upgrades to the Walker Senior Center and community center, June Lake Sheriff Station, Parks shop and office; work to the jail can be delayed.

Jeff Wagner, Aircon, gave a presentation providing details of the energy efficient measures (this information is on file in the Clerk's Office).

Courthouse upgrades:

- The boilers in the Courthouse need to be replaced immediately.
- Part of the plan includes a central plant, which requires a direct digital control system (DDC). Digital controls will allow for diagnostics to make problem-solving easier.
- Current heating units in the Board Chambers will be replaced with heating/cooling units.
- Identified some work for the elevator (heating/cooling for the shaft on a dedicated system).
- Costs increased from the previous discussion due to problems with roofs and windows.

Annex I and II upgrades:

- Improve air distribution system.
- Install large fan in the Annex II atrium to control air circulation.
- Install dedicated cooling system for 24-hour operation in computer area.
- DDC will automate air control processes, flushing out hot air at night and bringing in cool air.

Other locations:

- Memorial Hall: Needs a new roof, HVAC, windows, and lighting.
- Former clinic: Needs a new roof, air conditioning, lights, and windows.
- Jail: The building needs a new roof and air conditioning. This could be scheduled for a later phase pending answers to questions about the future of the jail facility.
- Shops: Replace boiler and retrofit lighting.
- Probation: Provide new windows and new heating unit.
- Remote areas: The June Lake Sheriff Station needs lighting and a new furnace. ESPL in Mammoth needs new lighting. The Walker Senior Center needs a new heating unit; the community center needs new lighting.
- Phase One, including the Courthouse, Annex I, Annex II, Memorial Hall, Clinic, Probation, and Parks office/shop, would cost about \$3.3 million.

Board Discussion:

- Supervisor Bauer asked if the elevator shaft in the Courthouse affects the rest of the building. The answer was no.
- Supervisor Reid asked about the status of the old hospital. Garcia said the hospital is still occupied by animal control, the health department and the clinic. Even though the furnace was recently replaced no substantial investments will be made until after the facilities study.
- Chairman Hazard asked if the current space used by IT is suitable. Garcia said she has not conferred with IT.
- Chairman Hazard asked about the opportunity to use geothermal energy in the shops. Garcia said a previous report about geothermal may clarify the potential. The Board could consider the Parks shop in Phase Two.

David Wilbrecht pointed out the following:

- There is great value in Aircon's work because it will help with decisions about the future uses of buildings.
- The Board is not compelled to do anything.
- The Board should consider phasing the project
- The Board should consider whether or not the public process is being vetted enough for the Board to move forward. Aircon has guaranteed their costs, whereas bidding may run into unanticipated costs.
- Ultimately staff will come back to the Board at budget time with capital projects.

Garcia pointed out the following:

- Regarding a fan for the atrium, the Board may choose to phase this portion until the building's future use is determined.
- Current roofing on the jail was like a patch and it shrinks which causes water problems from melting snow. The biggest problem is in dispatch and a lot of equipment could be ruined. Don't know how much longer the roof can be patched. There is a potential for state funding for a new facility.

Brian Muir suggested having an independent third party review the proposed costs. The Board may be doing what is legal, but at this point they really don't know if the costs are appropriate and suitable. The public has the right to verification, however, this depends on the Board's comfort level since this may incur incremental costs and slow the process. Wagner said he would consider reviewing Aircon's pricing with staff, but said it would be difficult to find an unbiased expert to review nine months worth of engineering.

Supervisor Farnetti expressed concern about spending \$3-4 million without doing all the homework, and suggested the Board proceed slowly. Supervisor Hunt said he would feel more comfortable with an independent review. Supervisor Reid said the first step would be to open the books as suggested by Wagner. Supervisor Bauer said the work needs to be done and she would like to move forward. Chairman Hazard said this is a deferred maintenance issue; the Board could approve the project contingent upon financing.

Marshall Rudolph pointed out that certain types of financing will require a separate public hearing; the Board is not scheduled to make financing decisions today.

Chairman Hazard opened the public hearing:

Rick Phelps, Executive Director of High Sierra Energy Foundation, commended the Supervisors for taking this step to make the best of a deferred maintenance situation. He offered his assistance as a third party reviewer. He also said he could help answer the question about geothermal energy, and could work with the County to maximize rebates from Southern California Edison.

No one else spoke. Chairman Hazard closed the public hearing.

Wilbrecht made the following recommendations:

- Direct staff to move forward with a financial analysis on Phase One, including information from High Sierra Energy Foundation and information from the Finance Department.
- In January, discuss the benefits from Southern California Edison, a time schedule, a construction schedule, and financing options. The Board may be able to fund some projects fully and put others on a different financing plan.

- Today the Board needs to give direction about priorities.

Chairman Hazard suggested that Phase One include the Courthouse, Annex I, Annex II, Probation, and Memorial Hall. Supervisor Bauer suggested eliminating the elevator shaft heating/cooling and eliminating the big fan in Annex II. Wagner said the approximate cost for the work suggested would be \$2.9 million.

The Board decided to move forward as proposed by the CAO.

14b) Contract for Surveying & Topographic Mapping Services (Evan Nikirk)

M07-267

ACTION: Authorize the Public Works Director (in consultation with County Counsel) to execute and administer an agreement with Triad/Holmes Associates in an amount not to exceed \$10,000 to provide topographic mapping and surveying services at County landfills. This authorization shall include making minor amendments to said agreement from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form by County Counsel. The intended date for completion as specified in Attachment A, Work Schedule, shall be changed to May 31, 2008.

(Hunt/Farnetti, 5-0)

Evan Nikirk: The purpose of the contract is to do the necessary topographic mapping of the Walker landfill in order to plan for its long-term future; the State has asked for a major overhaul. The second purpose of this contract is to conduct a survey of wells in other landfills.

14c) Results of Public Auction of Surplus Property (Evan Nikirk)

M07-268

ACTION: Acknowledge receipt of proceeds totaling \$48,312, and direct the Finance Director to post deposits of \$26,122 to the General Fund, \$890 to the Road Fund, and \$21,300 to the Asset Forfeiture Fund.

(Bauer/Hunt, 5-0)

Evan Nikirk reported the results of the public auction of surplus property; the total revenue amounted to over \$48,000. He recommended that the Board authorize distribution of funds as follows: \$26,122 to the General Fund, \$890 to the Road Fund, and \$21,300 to the Asset Forfeiture Fund. He pointed out that two of the surplus vehicles had been pulled out of the auction and made available for sale to IMAAA, and an old piece of equipment was pulled to be used as part of a display.

14d) Hammil Valley Flood Channel Repairs (Evan Nikirk)

ACTION: (1) Receive staff report regarding requests to provide maintenance of the flood control channel in the vicinity of Dawson Ranch Road and Black Rock Mine Road in Hammil Valley. (2) Find that vegetation removal and other maintenance of flood-control structures on private property in Hammil Valley by County forces serves a public purpose as it will enhance the flood-control capabilities of those structures. (3) Find that such work involves the maintenance

of existing structures with no expansion of existing use and is therefore exempt from further environmental analysis pursuant to Section 15301 of the CEQA guidelines. Authorize the Public Works Director to file a notice of exemption with the County Clerk. (4) Consider and potentially authorize the Public Works Director (in consultation with County Counsel) to enter into maintenance authorizations with affected property owners to provide one-time assistance with County forces. (5) Authorize the Public Works Director to waive gate fees that would otherwise be charged for wood waste and debris hauled to County disposal sites as a result of this project. (6) Provide any desired direction to staff.

This item was pulled from the agenda.

~ LUNCH RECESS ~

The Board met in closed session during the lunch recess; reconvened regular session at 1:45 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

ECONOMIC DEVELOPMENT AND SPECIAL PROJECTS

- 15) Proposed Designation of Critical Habitat for the Sierra Nevada Bighorn Sheep by the U. S. Fish and Wildlife Service (**Dan Lyster**)
ACTION: Support Resolution Option Two with changes: change the date in paragraph six to September 4, 2007; delete "...considered for removal..." in Section One; remove the word "necessarily" in Section Two.
(Farnetti/Bauer, 2-3) Motion Failed
- R07-81 **ACTION:** Adopt **Resolution R07-81**, Option Three, regarding the proposed designation of critical habitat for the Sierra Nevada bighorn sheep by the U.S. Fish and Wildlife Service with modifications: insert the following language as paragraph nine, "WHEREAS, The Quarterly Report of the Sierra Nevada Bighorn Sheep Recovery Program (April – June, 2007) states that only thirty-two (32) Sierra Nevada bighorn sheep are present in the Mount Gibbs and Mount Warren Herd Units combined, and"; change the date in paragraph six to September 4, 2007; delete "...considered for removal..." in Section Two; remove the word "necessarily" in Section Three.
(Reid/Bauer, 5-0)

Dan Lyster reviewed the three options presented to the Board in the agenda packet:

- The first option is the same resolution as proposed last week.
- The second option deletes Section One (the reference to the Mount Gibbs and Mount Warren herd units); considers two choices in new Section One—that allotment lands be “considered for removal” **or** “removed”; and in Section Two adds the wording “...or recreation be necessarily...”.
- Option Three is the same as Option Two except includes language regarding the taxonomy of the sheep (Paragraphs 11 and 12, and Section One).
- In Options Two and Three, the first paragraph specifies that the protection of bighorn sheep and needs of the people be balanced.
- The date in paragraph six regarding testimony about disease transmission should be September 4, 2007.

Lyster also said this is the initial comment period on the proposed critical habitat; the economic analysis is due out in January and will be listed in the Federal Register, which will be another public process. The final decision will be made in July 2008.

Regarding disease contracted by the bighorn sheep from domestic sheep, Supervisor Reid said this seems to be circumstantial; there is no direct evidence about where they get the disease. Chairman Hazard said ranchers have been rotating grazing so sheep are not in the same area as the bighorn. Supervisor Farnetti said agencies are using best management practices to minimize the conflict.

Supervisor Hunt said the bighorn sheep are an asset to the character of this area; Yosemite is concerned with removing critical habitat that will directly affect the character of the park. He suggested that it was unnecessary to include a clause about removing critical habitat north of Mammoth. The balanced approach would be to permit and control reasonable grazing, and sustain recreational activities.

The Board discussed the various options.

BOARD OF SUPERVISORS

16a) Verbal Update and Status Report by the Assessor on his Office and Activities (James Lovett)

ACTION: (1) Receive a verbal report from the Assessor regarding the status of his office and activities. (2) Provide any desired direction to staff.

James Lovett provided the following update:

- Mammoth Mountain. The necessary data has been submitted by their legal counsel; the original was sent via Fed Ex to Mr. Hansen. Hansen should have a value in 3-4 weeks, and the value should be on the roll by the end of January.
- Clarified a misconception that the Assessor's Office has been working on Mammoth Mountain for two years. The property was sold in December 2005, and the Assessor was not notified until late February or early March of 2006. Lovett hasn't been Assessor for more than two years.
- A spreadsheet compiled by the California Assessor's Association representing the total increase in the assessment roll for all 58 counties, shows that Mono County came in 3rd in increased assessments.

- Met today with an appraiser to help the appraiser figure out income approach to appraising property.
- Regarding the CNL hearing, the Assessor's Office was asking for \$18 million, CNL appealed for \$15 million, and the Assessment Appeals Board settled on approximately \$17 million.
- Met with the Grand Jury for two hours; they seemed to be satisfied with Lovett's answers.

Supervisor Bauer asked Lovett how many hours he had worked this week. Lovett said he came in yesterday at 2:30, and has been at work most of the day today; he was planning to take off tomorrow for Thanksgiving. Lovett said he was at work most of last week.

In response to a question about taking work home, Lovett said he and others in his office occasionally take work home. They have a tracking system to record when people take work out of the office; the appraisers don't take work home very often.

Chairman Hazard referred to the report given by the Assistant Assessor at last month's meeting; he said it was a very professional and informative report. Hazard asked Lovett if he attended the Assessor's conference. Lovett said he did not because he was ill and did not feel like driving; plus he is not getting reimbursed for driving on County business. He said he has been to several of these meetings and there are always five or six assessors that don't show up. There is no penalty for not appearing.

The Board had no other questions.

- 16b)** Review of items associated with the Purchase and Sale Agreement of the Sale of a portion of the "Church Parcel" to the California Judicial Council Administrative Office of the Courts **(David Wilbrecht and Mark Magit)**

ACTION: (1) Review, consider, and potentially approve items associated with the sale of a portion of the Church Parcel to the Judicial Council Administrative Office of the Courts. (2) Authorize the County Administrative Officer to negotiate terms on behalf of the County and execute all necessary documents to fulfill the terms and conditions of the Purchase and Sale Agreement. (3) Provide any desired direction to staff.

This item was deferred to the December 4th agenda.

- 16c)** Great Basin Unified Air Pollution Control District Air Pollution Permits **(Stacey Simon)**

ACTION: (1) Receive oral staff report analyzing questions raised by the public regarding the possible overlap between certain permits issued by the Great Basin Unified Air Pollution Control District and Mono County's grading permit requirements. (2) Provide any desired direction to staff.

This item was deferred to the December 4th agenda.

COUNTY ADMINISTRATION

- 17) Proposed Crowley Cellular Site **(Marshall Rudolph)**
ACTION: (1) Receive update regarding proposed cellular antenna site on or adjacent to the Long Valley Fire Station and/or Sheriff's Substation property on Crowley Lake Drive. Said property is currently owned by the City of Los Angeles' Department of Water and Power (LADWP), leased to the County, and subleased to the Long Valley Fire Protection District. (2) Consider and potentially request or authorize LADWP to lease a portion of said property to one or more private cellular carriers, and direct County Counsel to notify LADWP of said request or authorization. (3) Provide any desired direction to staff.

This item was deferred to the December 4th agenda.

HEALTH AND HUMAN SERVICES AND COUNTY ADMINISTRATIVE OFFICE

- 18) Approval of an Amendment to Lease Between Mono County and the Minaret Village Shopping Center for Office Space Used by the Department of Health and Human Services **(Tom Wallace, Rita Sherman, and Mark Magit)**
M07-269 ACTION: (1) Approve a first amendment to a lease between the County of Mono and the Minaret Village Shopping Center for office space used by the Health and Human Services Department, extending the present lease through September 30, 2013, on the same terms and conditions set forth in the original lease except as modified by the first amendment to the lease. (2) Authorize the Chair of the Board to execute the first amendment to lease.
(Hunt/Reid, 5-0)

Mark Magit: This lease amendment is for office space in the Minaret Mall. The current lease expired; the term of this amendment is for six years. The lease is very straight forward; the rent is \$2,600 per month, increased annually by four percent, plus monthly common area maintenance expenses estimated at \$1,248 per month. Magit recommended approval.

HEALTH AND HUMAN SERVICES

- 19) Transition to a County Environmental Health Program **(Tom Wallace and Bob Garret)**
ACTION: (1) Receive staff report analyzing environmental health organizational options. (2) Provide direction to staff on future steps to establish a County Environmental Health program.

This item was deferred to December.

Break from 2:38 p.m. through 2:44 p.m.; reconvened at 2:44 p.m.

PUBLIC WORKS

20) Bid Award – Ford F250 Pickup Trucks for the Public Works Department (**Evan Nikirk**)

M07-270 ACTION: (1) Award bid to Burch Ford of La Habra, California, in an amount not-to-exceed \$110,052 for the purchase of four 2008 Ford F250 4x4 diesel pickup trucks for the Parks & Facilities Division and the Solid Waste Division of the Department of Public Works. (2) Authorize the Public Works Director to prepare, process, and execute applicable purchase documents with said dealership on behalf of Mono County.

(Bauer/Farnetti, 5-0)

Evan Nikirk: Nineteen bids were submitted and ranged from \$110,000 to \$141,000; most bids were in the \$110,000 to \$120,000 range. Burch Ford is the low bidder, and has no delivery fee to Bridgeport. The trucks will have the factory, all-season tires, but when necessary will be upgraded by Public Works to BF Goodrich tires. The anticipated delivery date is 90 days. Nikirk recommended accepting the Burch Ford bid of \$110,052. Since the anticipated cost was \$120,000, the savings of \$9,000 will be used for tool boxes and spray-in liners.

ADJOURN: 3:10 p.m.

The meeting was adjourned in honor of U.S. Marine Corps Sgt. Phillip Allen Bocks, who was recently killed in an ambush in Afghanistan.

***Reconvene Evening Meeting at the
Chalfant Community Center***

4:00 p.m. COMMUNITY DEVELOPMENT

21) White Mountain Estates SP/EIR Field Visit (**Gerry Le Francois, Laurie Mitchel, and Scott Burns**)

ACTION: Field visit to the White Mountain Estates project location. Meet at the Chalfant Community Center at 4:00 p.m. and carpool to the project site.

Since the regular meeting in Bridgeport adjourned at 3:10 p.m., the Board did not arrive in Chalfant until 5:00 p.m. Due to time of day and time constraints, the site visit was cancelled.

6:00 p.m. Meeting Called to Order by Chairman Hazard

Pledge of Allegiance led by Supervisor Reid

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

**6:00 p.m. COMMUNITY DEVELOPMENT
PUBLIC HEARING**

22) Public Hearing – White Mountain Estates SP/EIR, GPA 06-01 and TTM 37-46
(Gerry LeFrancois, Laurie Mitchel and Scott Burns)

R07-82 ACTION: Adopt **Resolution R07-82** taking the following actions to approve the White Mountain Estates Specific Plan and Final Environmental Impact Report, General Plan Amendment 06-01, and Tentative Tract Map 37-46: (A) Adoption and certification of the Final EIR and mitigation monitoring program for the White Mountain Estates Specific Plan, finding that: (1) In compliance with CEQA Guidelines Section 15090(a): The Final Environmental Impact Report (FEIR) has been completed in compliance with CEQA; the Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project; and the Final EIR reflects the lead agency's independent judgment and analysis. (2) Based on evidence in the Final EIR, potentially significant impacts have been reduced to less-than-significant levels through mitigation measures. (B) Approval of the White Mountain Estates Specific Plan, subject to the proposed Conditions of Approval; the recommendation should include a recommended project alternative. (C) Approval of General Plan Amendment 06-01 subject to the findings contained in Planning Commission Resolution 07-01. (D) Approval of Tentative Tract Map 37-46 subject to the findings contained in Board Resolution R07-82. (E) Direct staff to incorporate changes as discussed.
(Hazard/Farnetti, 5-0)

Chairman Hazard passed the gavel to Supervisor Bauer.

Gerry LeFrancois and Laurie Mitchel gave a PowerPoint presentation (on file in the Clerk's Office). They highlighted the following:

- Provided background about the project. The existing development was approved in 1980, and included 43 residential lots and a utility lot for a well. The original second phase was never completed.
- The proposed project is 76+ acres, including a 45-lot subdivision with a remainder parcel. It will be completed in two phases: (1) Lots 1-39 with a lot for a water system and propane tanks; (2) Lots 40-45 with open space and a remainder parcel.

- The BLM and DWP own property around the subject property.
- Infrastructure improvements include improvements to Highway 6, interior roads, bicycle/pedestrian paths, a bus shelter, cluster mailboxes, drainage, water system, a septic system, and utilities.
- Special studies have been completed for traffic, botany, wildlife, archaeology hydrologic, drainage, and earthquake faults. Received 11 comments as a result of the EIR—issues related to land use, housing affordability, use of common area, open space, plants and preserving sensitive habitats, wildlife, traffic safety issues at the intersection of Highway 6 and White Mountain Estates Road, water and the proposed water system, drainage, earthquake faults, and public safety regarding impacts to the fire district.
- The Planning Commission held a public hearing in Chalfant on September 20th, and adopted a resolution forwarding the project to the Board of Supervisors for approval.
- Issues: the Planning Commission didn't change the policy regarding affordable housing; would like a 30-foot separation of structures on the adjoining properties, and a conservation easement for the remainder parcel; where feasible new projects will utilize the existing infrastructure; Lot A will retain its current use; proponent did the required trenching for the study of earthquake faults; staff will consider traffic measures to deal with concerns about speed on White Mountain Estates Road; staff and developer will create an acceptable agreement regarding repairs to White Mountain Estates Road.
- Alternatives suggested in the final EIR: do not develop the project; reduce the development to 39 lots (Phase I); construct a large-lot development (19 lots).
- Staff recommends adopting the resolution.

Board questions:

- Supervisor Farnetti asked about the repair of existing White Mountain Estates Road. Evan Nikirk responded: The developer has proposed a grind and overlay of the upper road; it won't address all the cracks but it is a better solution than the original proposal. Public Works will then complete the remainder in the next few years. If the Board desires, this work can be entered as a map condition.
- Supervisor Hunt asked about livestock on residential property. LeFrancois said property owners are required to fence out the open-range cows; residents must comply with the current ordinance if they want to keep livestock on their property.
- Supervisor Reid asked if Caltrans had been contacted about improvements to Highway 6. LeFrancois said Caltrans wants to see the standards; staff is proposing Caltrans requirements, (to be paid for by the proponent). Regarding interior roads, will use funds from the LTC or general road fund. Regarding traffic-calming options, Nikirk said a current dip in the road acts as a calming measure and rumble strips could be installed. Conditions are not currently specified.
- Chairman Hazard expressed several concerns: lot size; construction traffic moving through the area on a declining road; installation of traffic-calming measures prior to impact of new traffic; County ability to monitor wells; a formal plan for OHV routes needs to be specified; impact to electricity demands in the Tri Valley area (Hazard asked staff to pursue this issue). Regarding lot size, LeFrancois said the upper lots would meet the one-acre requirement. Concerning construction traffic, Nikirk said heavy equipment will remain on site until the conclusion of the project. The developer will seal the cracks in this stretch of road and then Public Works will apply a 2-inch overlay in the next two years using state funding.

Vice Chair Bauer opened the public hearing.

Applicant Comments:

- Steve Kappos, representing the proponent, said the developer intends to build the project in two phases. It is likely that this kind of housing is the most reasonably priced in the area. They intend to trade the remainder parcel to public land ownership. Most of the issues raised have been resolved. Regarding road repair concerns, the developer was asked to repair over 200 cracks and has proposed a solution that is acceptable to all parties. Part of the understanding is that the County will participate relatively soon to complete the road.
- Rob Traylor, hydro-geologist for the project, reviewed the surface and groundwater analysis. The data show that the water flow is sufficient for the development, and the water is all part of the same aquifer.

Public Comments:

- Dan Totherow, water systems operator for White Mountain Estates, spoke on behalf of the community. White Mountain Mutual Water Company (WMMWC) is prepared to provide water; the development must meet their requirements. The existing community would be best served by one water system since one system would provide a savings. The current well is an extremely good well. The County is currently mediating discussions between the water company and the developer. In answer to Chairman Hazard's concerns, the water company will allow the County to monitor the well. Also, WMMWC has been working with Southern California Edison to resolve issues concerning the electrical service. Totherow said he would like assurance from Traylor about the water. The water company would want to monitor new wells to make sure they will last.

Closing Comments from Applicant:

- Bob Stark said he has been working in the area for nine years, and has installed 170 manufactured homes. The homes are built on a foundation and the quality is good. The fees associated with development are increasing the cost of the housing. He reiterated that he will repair the cracks in the road as previously discussed. The project will include affordable housing (homes 11 and 21). He hopes to trade the remainder piece to the BLM for a developable parcel somewhere else.

There were no other comments. Vice Chair Bauer closed the public hearing.

Board Questions/Discussion:

- Supervisor Hunt expressed concern about the number of earthquake faults in the area. Stark said there are a few major faults but mostly the faults are ancient "stretch" marks. He will be required to build 25 feet from the faults.
- Supervisor Bauer asked about a zone of benefit in the original subdivision. Nikirk said the zone of benefit came after the existing development.
- Chairman Hazard asked about County access to wells for monitoring purposes; Stark said this would not be a problem. Hazard asked about identifying OHV routes on the map; Mitchel said there is a requirement for the developer to work with BLM to identify routes prior to approval of final tract map. Hazard asked about the traffic calming measure; Nikirk suggested a median island where lanes are narrowed and realigned so cars are forced to change direction, thus causing slowing; this would be part of the County road and would be maintained by the County. Chairman Hazard requested reflective striping.

Break from 7:54 p.m. through 8:09 p.m.; reconvened at 8:09 p.m.

Gerry Le Francois provided final language revisions to be included in the specific plan, EIR and tract map; staff will make the necessary changes.

- Affordable housing: Two affordable units are required. A certificate of occupancy will be required prior to start of construction on the 12th unit and the 22nd unit.
- Setbacks: All buildings on adjoining property lines have a minimum setback of 30 feet, or the same practical effect to meet the fire district requirement of 30 feet.
- Conservation easement: An easement is required on the riparian portion of Lot D and the remainder piece; the easement will terminate upon trade or transfer to a public agency or land trust.
- Water: The developer will allow County access to wells for groundwater monitoring purposes.
- Open space: Add a minimum of 15.33 acres.
- Earthquake faults: The establishment of building envelopes is already reflected.
- Traffic impacts: Developer shall make improvements including relocation of existing cattle guard, installation of traffic calming measures (a median with lane narrowing), and grind and overlay on the eastern 900 foot section of the road (location and design to be included on improvement plans submitted to Public Works for review and approval prior to recording map).
- Finalize OHV access points and show on map prior to recording of final map.
- The minimum parcel size for Phase Two will be as shown on map sheet three of six.

ADJOURN: 8:37 p.m.

Mono County Board of Supervisors' next regular session will be on **December 4, 2007**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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